

Amendments to the Claims:

Claims 1 – 13 (Canceled)

14. (Currently Amended) A portable device comprising:

a user input comprising a key ~~having~~ operable in response to a first mode of operation to perform a first function of performing a shortcut to a predetermined menu when the device is in a first state and a second function when the device is not in the first state, the key also being operable in response to a second mode of operation to turn the device on or off;

a processor for determining the state of the device and for performing a function in response to the ~~a first~~ mode of operation of the key; and

wherein the second function is performing a shortcut to the first state, and the predetermined menu comprises a list of first level menu items, and the device is a portable radiotelephone.

15. (Previously Presented) A device as claimed in claim 14, wherein the first state is an idle state.

Claims 16 – 19 (Canceled)

20. (Currently Amended) A device as claimed in claim 14, wherein the first level menu items include at least one item selected from profiles, call register, messages, infrared, calendar, calculator, games, call divert, and settings.

Claims 21 – 22 (Canceled)

23. (Currently Amended) A device as claimed in claim 14, wherein the key has a third function and the processor performs the third function in response to ~~a~~the second mode of operation of the key.

24. (Previously Presented) A device as claimed in claim 23, wherein;  
the third function is associated with a second state of the device;  
the key has a fourth function associated with a third state of the device; and  
the processor performs third or fourth functions in response to the second mode of  
operation of the key, depending upon a state of the device.

25. (Previously Presented) A device as claimed in claim 23, wherein the processor  
determines the mode of operation of the key by a duration of operation.

26. (Previously Presented) A device as claimed in claim 24, wherein the processor  
determines the mode of operation of the key by a duration of operation.

27. (Previously Presented) A device as claimed in claim 25, wherein the first mode  
of operation has a duration less than a predetermined threshold.

28. (Previously Presented) A device as claimed in claim 26, wherein the first mode  
of operation has a duration less than a predetermined threshold.

29. (Previously Presented) A device as claimed in claim 14, wherein the key is a  
button.

30. (Previously Presented) A device as claimed in claim 14, wherein one of the  
functions of the key is to turn off the device.

31. (Previously Presented) A device as claimed in claim 14, which is a  
radiotelephone.

32. (Currently Amended) A device as claimed in claim 14, wherein the key has a third function and the processor performs the third function in response to a-the second mode of operation of the key.

33. (Currently Amended) A device as claimed in claim 15, wherein the key has a third function and the processor performs the third function in response to a-the second mode of operation of the key.

34. (Currently Amended) A device as claimed in claim 15, wherein the first level menu items include at least one item selected from profiles, call register, messages, infrared, calendar, calculator, games, call divert, and settings.

35. (Previously Presented) A device as claimed in any preceding claim wherein the key is provided by a position of a multi-positional device.

36. (Previously Presented) A device as claimed in claim 35, wherein the multi-positional device is a rocker, roller or joystick.

37. (Currently Amended) A method of operating a portable device comprising:  
actuating a user input comprising a key having a first function, in response to a first mode of operation, of performing a shortcut to a predetermined menu when the device is in a first state, actuating the user input when the device is not in the first state, the key having, in response to the first mode of operation, a second function when the device is not in the first state, the key also being operable in response to a second mode of operation to turn the radio telephone on and off;  
one of the first function and the second function being performed in response to the a first mode of operation of the key and upon determining the state of the device; and  
wherein the second function of the user input is performing a shortcut to the first state, and the predetermined menu comprises a list of first level menu items; and the device is a portable radiotelephone.

38. (Currently Amended) A computer program comprising program instructions for operation of a portable device and when loaded onto a processor, causing the processor to perform the steps of:

detecting actuation of a user input comprising a key having a first function, in response to a first mode of operation, of performing a shortcut to a predetermined menu when the device is in a first state and a second function, in response to the first mode of operation, when the device is not in the first state, the key also being operable in response to a second mode of operation to turn the device on and off;

determining the state of the device;

selecting one of the first function and the second function in accordance with the determined state of the device, and

performing the selected function in response to the a-first mode of operation of the key;  
and

wherein the second function of the user ~~is~~-input is performing a shortcut to the first state, and the predetermined menu comprises a list of first level menu items; and the device is a portable radiotelephone.

39. (Previously Presented) A physical entity embodying the computer program as claimed in claim 38.

40. (Previously Presented) An electromagnetic carrier signal carrying the computer program as claimed in claim 38.